

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

EVA MITCHELL

Plaintiff,

v.

BAYLOR UNIVERSITY

Defendant.

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Case No. 22-CV-00195-ADA-DTG

**ORDER OVERRULING PLAINTIFF'S DEPOSITION OBJECTIONS BY A CALL TO
THE COURT ON NOVEMBER 9, 2023**

The parties contacted the Court on November 9, 2023, concerning objections and instructions not to answer being made by Plaintiff's counsel at the pending deposition of Plaintiff, Eva Mitchell. Plaintiff's counsel objected to Defendant's counsel's questions as being repetitive of a prior deposition of Plaintiff and requiring a medical opinion. Defendant alleged that Plaintiff's counsel was improperly instructing Plaintiff not to answer after stating speaking objections. The Court heard argument, reminded parties of the obligations under the Western District of Texas Local Rules for stating objections and instructing witnesses not to answer. W.D. Tex. Loc. R. CV-30(b). As Plaintiff's basis for the objections and instructions was that they called for expert medical testimony and were needlessly cumulative of prior deposition questions, the Court **OVERRULED** plaintiff's objections and instructed counsel to allow the witness to answer.

SIGNED this 9th day of November, 2023.


DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE